

# TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

coggins

Mailed: December 15, 2006

Cancellation No. 92046613

THE BRONSKILL GROUP, INC

v.

BAMM! Worldwide, Inc.


**Cindy B. Greenbaum, Attorney:**

It has come to the Board's attention that the second page of the petition to cancel was not forwarded to respondent with the notice instituting this proceeding on November 16, 2006. The error is regretted.

A complete copy of the petition to cancel is forwarded to respondent herewith. In view of the circumstances, the time for filing an answer to the petition to cancel is extended to FORTY DAYS from the mailing date of this order.

Any discovery requests or notices served that remain unanswered as of the mailing date of this order must be reserved in accordance with the rules, unless otherwise agreed to by the parties.

Discovery and trial dates remain as set in the Board's November 16, 2006 institution order.

  
01-23-2007  
U.S. Patent & TMO/TM Mail Rpt Dt. #72



Attorney Docket: 20825-228

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Registration No. 2,805,213 for BAMM!  
Date of Issue: January 13, 2004

THE BRONSKILL GROUP, INC.,

Petitioner,

v.

BAMM! WORLDWIDE, INC.,

Registrant.

Cancellation No.: \_\_\_\_\_

Trademark Assistance Center  
Madison East, Concourse Level Room C 55  
600 Dulany Street  
Alexandria, VA 22314

**PETITION FOR CANCELLATION**

The Bronskill Group, Inc. ("Petitioner"), a Canadian corporation with an address at 662 King Street West, Suite 101, Toronto, Ontario, CANADA M5V 1M7, believes that it is and will be damaged by continued registration of the mark BAMM! currently on the Principal Register under Registration No. 2,805,213. The mark is registered in International Class 35 for "business marketing consulting services in the music industry and not related to non-entertainment music trade associations." Petitioner hereby petitions for cancellation of the above-referenced Registration pursuant to 15 U.S.C. §§ 1052, 1064 and 37 C.F.R. § 2.112. In support of this Petition, Petitioner alleges as follows:



1. Petitioner is the owner of U.S. Trademark Application Serial No. 76/341,337 for the mark B.A.A.M. PRODUCTIONS in International Classes 35 and 39 for "design, technical production, production management, graphic production, operational management, installation, dismantle supervision, labor services, and production rental services for the entertainment and trade show industries" and "storage, warehousing, and transportation logistics services for the entertainment and trade show industries."

2. BMM! Worldwide, Inc. ("Registrant") is the current owner of record of U.S. Registration No. 2,805,213. Registrant's address of record is 2420 West Lunt Avenue, Suite 2-00, Chicago, Illinois 60645.

3. Registration No. 2,805,213 for the mark BMM! was cited by the U.S. Patent and Trademark Office as a bar to registration of Petitioner's mark B.A.A.M. PRODUCTIONS in Application Serial No. 76/341,337 on the ground that there is a likelihood of confusion between the marks in Class 35 under Section 2(d) of the Trademark Act.

4. As grounds for cancellation of Registration No. 2,805,213, Petitioner alleges, on information and belief, that Registrant has abandoned the mark BMM!. On information and belief, Registrant is not currently making use in commerce of the mark BMM! within the scope of the challenged Registration. On information and belief, Registrant has abandoned the mark BMM! by discontinuing use of the mark with no intent to resume use.

5. Abandonment is grounds to petition for cancellation of a mark if the petitioner believes that it is or will be damaged by continued registration of the mark. 15 U.S.C. § 1064. Petitioner believes that it is and will be damaged by continued registration of the mark BMM!. Continued registration of this abandoned mark impairs Petitioner's ability to hold itself out as the



owner of the mark B.A.A.M PRODUCTIONS and denies Petitioner the opportunity to receive a registration for the mark B.A.A.M PRODUCTIONS.

WHEREFORE, Petitioner believes that it is and will be damaged by continued registration of the mark BAMM!, in Registration No. 2,805,213, and, therefore, requests cancellation of the Registration on the ground that Registrant has abandoned the mark with no intent to resume use.

A filing fee of \$300.00 is enclosed herewith.

Respectfully submitted,

By: 

Susan Neuberger Weller  
Mintz, Levin, Cohn, Ferris,  
Glovsky and Popeo, P.C.  
701 Pennsylvania Avenue N.W.  
Washington, DC 20004  
Tel: (202) 585-3510  
Fax: (202) 434-7400  
E-mail: [snweller@mintz.com](mailto:snweller@mintz.com)

Attorneys for Applicant  
The Bronskill Group, Inc.

Dated: October 17, 2006



United States Patent and Trademark Office

Commissioner for Trademarks

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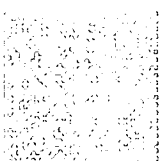
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